

REMARKS

The features of claim 64 were introduced into each of the independent claims. Aside from claim 64, the additional features introduced into the claims are discussed at page 7, lines 14-15 of the PCT application as filed.

The claims now require that the transaction details are processed using the telecommunications network access instrument but that some of these details are held in the point of sale device. This means that there must be some interaction between the point of sale device and the telecommunications network access instrument. In order for this to be achieved, the point of sale device and the telecommunications network access instrument must be in the same location. This therefore provides a simple method of verifying the location of the telecommunication access instrument when the transaction is being processed, and represents an added layer of security when processing the transaction.

As far as U.S. Patent No. 6,868,391 to Hultgren is concerned, there is no communication between the mobile telephone corresponding to the telecommunications network access instrument and the merchant terminal corresponding to the point of sale device. The only data passed into the mobile telephone is entered by the user. There is therefore no assurance that the mobile telephone is in the locality of the merchant.

The other documents cited by the Examiner, U.S. Patent Publication No. 2003/0130921 to Force merely discloses that it is known to provide customer numbers to different branches of a vendor. It does not disclose transmitting some data from our point of sale device via a telecommunications access instrument in order to verify a transaction. Accordingly, a combination of Hultgren and Force does not show the invention as claimed. The person of an ordinary skill in

the art would not therefore arrive at the claimed invention, because there is no teaching to send the data from the POS device via the telecommunications network access instrument.

Applicant notes that with respect to previous claim 64, the Examiner referred to the merchant communication module 204 shown in Fig. 2a of Hultgren. While the telecommunications network of Hultgren does communicate with the merchant terminal, there is no direct communication between the merchant terminal and the mobile telephone. Therefore there can be no passing of transaction details from the merchant terminal to the input output device using the telecommunications network access instrument.

Petition is hereby made for a three-month extension of the period to respond to the outstanding Official Action to August 23, 2007. A check in the amount of \$1,020.00, as the Petition fee, is enclosed herewith. If there are any additional charges, or any overpayment, in connection with the filing of the amendment, the Commissioner is hereby authorized to charge any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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